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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/661,504

Applicant(s)

SUGIYAMA, TAKAAKI

Examiner

Qing Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 April 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office action is in response to the amendment filed on April 18, 2007.
2. **Claims 1-10** are pending.
3. **Claims 1 and 7** have been amended.
4. The objection to the drawings due to non-compliance with 37 CFR 1.121(d) is withdrawn in view of Applicant's submission of the replacement drawings.

Response to Amendment

Claim Objections

5. **Claims 1-10** are objected to because of the following informalities:
 - **Claims 1 and 7** recite the limitation "the plurality of services." Applicant is advised to change this limitation to read "the plural services" for the purpose of providing it with proper explicit antecedent basis.
 - **Claims 2-6** depend on Claim 1 and, therefore, suffer the same deficiency as Claim 1.
 - **Claims 8-10** depend on Claim 7 and, therefore, suffer the same deficiency as Claim 7.
 - **Claims 6 and 7** recite the limitation "the respective services." Applicant is advised to change this limitation to read "the respective plural services" for the purpose of providing it with proper explicit antecedent basis.
 - **Claims 8-10** depend on Claim 7 and, therefore, suffer the same deficiency as Claim 7.
- Appropriate correction is required.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 1-10** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Cheyer et al.** (US 6,851,115) in view of **Tadokoro et al.** (US 2002/0052796).

As per **Claim 1**, **Cheyer et al.** disclose:

- a service acquisition unit that acquires plural services available to a user by using user information (*see Figure 4: 402; Figure 6: 448; Column 6: 10-13, "The facilitator agent interprets these requests ..."; Column 7: 58-63, "A user interface ... is responsible for accepting user input, sending requests to the facilitator ..."*); and
- a cooperation instruction information creation unit that creates the cooperation instruction information by using the plural services acquired by the service acquisition unit, wherein each of the plural services performs a specific processing on document data (*see Figure 4: 402 and 418; Figures 6 and 11; Column 6: 49-55, "Application agents 404 denote specialists that provide a collection of services of a particular sort. These services could be domain-independent technologies (such as speech recognition, natural language processing 410, email, and some forms of data retrieval and data mining) or user-specific or domain-specific (such as a*

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travel planning and reservations agent).”; Column 7: 24-29, “... when a facilitator determines that the registered services of one of its client agents will help satisfy a goal, the facilitator sends that client a request expressed in the Interagent Communication Language (ICL).”; Column 18: 23-25, “... a fax agent might fax a document to a certain person only after requesting and receiving a fax number for that person.”; Column 24: 43-47, “... a printer agent 1204, defining the solvable print(Object,Parameters), can be defined by the following pseudo-code ...”).

However, Cheyet et al. do not disclose:

- wherein the user information includes the present state of the user at the time a service is executed, and is updated each time the service is executed.

Tadokoro et al. disclose:

- wherein the user information includes the present state of the user at the time a service is executed, and is updated each time the service is executed (*see Figures 8 and 22; Paragraph [0068], “The common information of state 134 is a table for storing information related to the services (including not only common services, but also services classified by area and by cooperated company) used by all the users. The common information of state 134 includes fields of user code 801, service code 802, cooperated company user code 803, state code 804, and service providing time 805.”; Paragraph [0069], “The state code 804 stores the various states that occur when the user uses a service. For example, the state code 804 stores such states as login and logout, or start and end.”; Paragraph [0101], “Where the state code is changed (that is, new row data is added to the common information of state 134), the system reads the user information 131 in step Sd30, then obtains an area code 503 corresponding to the user code 801 of the row data added newly to the common information of state 134 in step Sd40.*

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Then, the system adds the row data added newly to the common information of state 134 as described above to the information of state classified by area 135 together with the area code obtained in the previous step in the next step Sd50. ").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Tadokoro et al. into the teaching of Cheyet et al. to include wherein the user information includes the present state of the user at the time a service is executed, and is updated each time the service is executed. The modification would be obvious because one of ordinary skill in the art would be motivated to monitor the state of the user for market research (*see Tadokoro et al. – Paragraph [0004]*).

As per **Claim 2**, the rejection of **Claim 1** is incorporated; and Cheyet et al. further disclose:

- a retrieval unit that retrieves a service, wherein the service acquisition unit transmits user information and makes a retrieval request for a service available to the user to the retrieval unit, and acquires plural services available to the user in response to the retrieval request (*see Figure 4: 404; Column 7: 24-38, "... the facilitator sends that client a request ... The agent parses this request, processes it, and returns answers or status reports to the facilitator. In processing a request, the client agent can make use of a variety of infrastructure capabilities provided ... "*).

As per **Claim 3**, the rejection of **Claim 2** is incorporated; however, Cheyet et al. do not disclose:

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- wherein when the retrieval request is issued from the service acquisition unit, the retrieval unit checks the user information against a restriction value table expressing restrictions on execution of the service stored in a service processing device, and retrieves plural services available to the user.

Tadokoro et al. disclose:

- wherein when the retrieval request is issued from the service acquisition unit, the retrieval unit checks the user information against a restriction value table expressing restrictions on execution of the service stored in a service processing device, and retrieves plural services available to the user (*see Figure 5; Paragraph [0061], "The user information 131 is a table for storing various information items of a user who can receive services provided by the service providing system 101. The user information table 131 includes fields of user code 501, password 502, area code 503, account holder code 504, and account holder name 505."; Paragraph [0076], "The service access program 321 then sends the user code and the password entered by the user to the management of common service 121(Sa30 in FIG. 18). Checking the user code and the password, the management of common service 121 displays the screen svc01 for starting the common service (Sa40 in FIG. 18)."*).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Tadokoro et al. into the teaching of Cheyet et al. to include wherein when the retrieval request is issued from the service acquisition unit, the retrieval unit checks the user information against a restriction value table expressing restrictions on execution of the service stored in a service processing device, and retrieves plural services

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available to the user. The modification would be obvious because one of ordinary skill in the art would be motivated to prevent unauthorized persons from accessing information on a network.

As per **Claim 4**, the rejection of **Claim 1** is incorporated; however, Cheyet et al. do not disclose:

- an inquiry unit that inquires of respective service processing devices each storing a restriction value table expressing restrictions on execution of services, by transmitting user information, as to whether the user can use the services of the respective service processing devices, wherein the service acquisition unit acquires the plural services on the basis of an inquiry result of the inquiry unit.

Tadokoro et al. disclose:

- an inquiry unit that inquires of respective service processing devices each storing a restriction value table expressing restrictions on execution of services, by transmitting user information, as to whether the user can use the services of the respective service processing devices, wherein the service acquisition unit acquires the plural services on the basis of an inquiry result of the inquiry unit (*see Figure 4: 121; Paragraph [0076], "The service access program 321 then sends the user code and the password entered by the user to the management of common service 121 (Sa30 in FIG. 18). Checking the user code and the password, the management of common service 121 displays the screen svc01 for starting the common service (Sa40 in FIG. 18)."*).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Tadokoro et al. into the teaching of Cheyet et

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al. to include an inquiry unit that inquires of respective service processing devices each storing a restriction value table expressing restrictions on execution of services, by transmitting user information, as to whether the user can use the services of the respective service processing devices, wherein the service acquisition unit acquires the plural services on the basis of an inquiry result of the inquiry unit. The modification would be obvious because one of ordinary skill in the art would be motivated to prevent unauthorized persons from accessing information on a network.

As per **Claim 5**, the rejection of **Claim 1** is incorporated; and Cheyet et al. further disclose:

- wherein the service acquisition unit acquires a service available to the user for each of functions constituting a job flow (*see Column 14: 43-48, "... a client agent (or a user) to submit compound goals of an arbitrarily complex nature to a facilitator. A compound goal is a single goal expression that specifies multiple sub-goals to be performed."*).

As per **Claim 6**, the rejection of **Claim 5** is incorporated; and Cheyet et al. further disclose:

- wherein the service acquisition unit acquires a service having minimum restrictions for each of the functions constituting the job flow, and the cooperation instruction information creation unit creates the cooperation instruction information by associating the respective plural services acquired by the service acquisition unit with the respective functions constituting the job flow (*see Column 15: 49-58, "... parameters associated with a goal (or sub-goal) can draw on*

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useful features to refine the request's meaning. For example, it is frequently preferred to be able to specify whether or not solutions are to be returned synchronously ... As another example, when the goal is a non-compound query of a data solvable, the cache parameter may preferably be used to request local caching of the facts associated with that solvable."; Column 16: 39-43, "... when a facilitator receives a compound goal, its job is to construct a goal satisfaction plan and oversee its satisfaction in an optimal or near optimal manner that is consistent with the specified advice.").

As per **Claim 7**, Cheyet et al. disclose:

- creating cooperation instruction information by using the acquired plural services, wherein each of the plural services performs a specific processing on document data (*see Figure 4: 402 and 418; Figures 6 and 11; Column 6: 49-55, "Application agents 404 denote specialists that provide a collection of services of a particular sort. These services could be domain-independent technologies (such as speech recognition, natural language processing 410, email, and some forms of data retrieval and data mining) or user-specific or domain-specific (such as a travel planning and reservations agent).*"; Column 7: 24-29, "... when a facilitator determines that the registered services of one of its client agents will help satisfy a goal, the facilitator sends that client a request expressed in the Interagent Communication Language (ICL)."; Column 18: 23-25, "... a fax agent might fax a document to a certain person only after requesting and receiving a fax number for that person."; Column 24: 43-47, "... a printer agent 1204, defining the solvable `print(Object,Parameters)`, can be defined by the following pseudo-code ...").

However, Cheyet et al. do not disclose:

- acquiring plural services available to a user by checking user information against respective restriction value tables expressing restrictions on execution of the respective plural services, wherein the user information includes the present state of the user at the time a service is executed, and is updated each time the service is executed.

Tadokoro et al. disclose:

- acquiring plural services available to a user by checking user information against respective restriction value tables expressing restrictions on execution of the respective plural services, wherein the user information includes the present state of the user at the time a service is executed, and is updated each time the service is executed (*see Figures 5, 8, and 22*;

Paragraph [0061], "The user information 131 is a table for storing various information items of a user who can receive services provided by the service providing system 101. The user information table 131 includes fields of user code 501, password 502, area code 503, account holder code 504, and account holder name 505."; Paragraph [0068], "The common information of state 134 is a table for storing information related to the services (including not only common services, but also services classified by area and by cooperated company) used by all the users. The common information of state 134 includes fields of user code 801, service code 802, cooperated company user code 803, state code 804, and service providing time 805."; Paragraph [0069], "The state code 804 stores the various states that occur when the user uses a service. For example, the state code 804 stores such states as login and logout, or start and end."; Paragraph [0076], "The service access program 321 then sends the user code and the password entered by the user to the management of common service 121 (Sa30 in FIG. 18). Checking the user code and the password, the management of common service 121 displays the

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screen svc01 for starting the common service (Sa40 in FIG. 18). ”; Paragraph [0101], “Where the state code is changed (that is, new row data is added to the common information of state 134), the system reads the user information 131 in step Sd30, then obtains an area code 503 corresponding to the user code 801 of the row data added newly to the common information of state 134 in step Sd40. Then, the system adds the row data added newly to the common information of state 134 as described above to the information of state classified by area 135 together with the area code obtained in the previous step in the next step Sd50.”).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Tadokoro et al. into the teaching of Cheyet et al. to include acquiring plural services available to a user by checking user information against respective restriction value tables expressing restrictions on execution of the respective plural services, wherein the user information includes the present state of the user at the time a service is executed, and is updated each time the service is executed. The modification would be obvious because one of ordinary skill in the art would be motivated to prevent unauthorized persons from accessing information on a network and to monitor the state of the user for market research (*see Tadokoro et al. – Paragraph [0004]*).

As per **Claim 8**, the rejection of **Claim 7** is incorporated; and Cheyet et al. further disclose:

- wherein in the cooperation instruction information creation step, services constituting a job flow are selected from the acquired plural services, and the cooperation instruction information is created by using the selected services (*see Column 16: 39-43, “... when a*

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facilitator receives a compound goal, its job is to construct a goal satisfaction plan and oversee its satisfaction in an optimal or near optimal manner that is consistent with the specified advice. ").

As per **Claim 9**, the rejection of **Claim 7** is incorporated; and Cheyet et al. further disclose:

- wherein in the service acquisition step, the service available to the user is acquired for each of functions constituting a job flow (*see Column 14: 43-48, "... a client agent (or a user) to submit compound goals of an arbitrarily complex nature to a facilitator. A compound goal is a single goal expression that specifies multiple sub-goals to be performed. ").*

As per **Claim 10**, the rejection of **Claim 9** is incorporated; and Cheyet et al. further disclose:

- wherein in the service acquisition step, a service having minimum restrictions is acquired for each of the functions constituting the job flow (*see Column 15: 49-58, "... parameters associated with a goal (or sub-goal) can draw on useful features to refine the request's meaning. For example, it is frequently preferred to be able to specify whether or not solutions are to be returned synchronously ... As another example, when the goal is a non-compound query of a data solvable, the cache parameter may preferably be used to request local caching of the facts associated with that solvable. ").*

Response to Arguments

8. Applicant's arguments filed on April 18, 2007 have been fully considered, but they are not persuasive.

In the remarks, Applicant argues that:

a) Applicant respectfully asserts that Cheyer and Tadokoro, either individually or in combination, fail to disclose or suggest a cooperation instruction information creation device for creating cooperation instruction information to instruct cooperation of plural services on a network, wherein each of the plurality of services performs a specific processing on document data, as recited in independent claims 1 and 7.

Examiner's response:

a) Examiner disagrees. Cheyet et al. clearly disclose a cooperation instruction information creation device for creating cooperation instruction information to instruct cooperation of plural services on a network, wherein each of the plurality of services performs a specific processing on document data (*see Figure 4: 402 and 418; Figures 6 and 11; Column 6: 49-55, "Application agents 404 denote specialists that provide a collection of services of a particular sort. These services could be domain-independent technologies (such as speech recognition, natural language processing 410, email, and some forms of data retrieval and data mining) or user-specific or domain-specific (such as a travel planning and reservations agent)."; Column 7: 24-29, "... when a facilitator determines that the registered services of one of its client agents will help satisfy a goal, the facilitator sends that client a request expressed in the Interagent*

Communication Language (ICL). ”; Column 18: 23-25, “... a fax agent might fax a document to a certain person only after requesting and receiving a fax number for that person.”; Column 24: 43-47, “... a printer agent 1204, defining the solvable print(Object,Parameters), can be defined by the following pseudo-code ... ”).

In the remarks, Applicant argues that:

b) However, Tadokoro does not disclose how such user information relates to the availability of document processing services.

Examiner’s response:

b) In response to applicant’s argument that the references fail to show certain features of applicant’s invention, it is noted that the features upon which applicant relies (*i.e.*, how such user information relates to the availability of document processing services) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In the remarks, Applicant argues that:

c) Even if Tadokoro discloses updateable user information, one having ordinary skill in the art would not be motivated to combine Cheyer and Tadokoro because Cheyer and Tadokoro are in two vastly different fields of endeavor. Tadokoro is directed towards the aggregation of services offered by companies located in a geographic proximity to a user. This aggregation

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allows a user to access and monitor available services through a world wide web browser.

Tadokoro is not directed to the performance of specific processing services on document data through a network, as recited in independent claims 1 and 7.

Examiner's response:

c) Examiner disagrees with Applicant's assertion that Cheyer et al. and Tadokoro et al. are in two vastly different fields of endeavor. Cheyer et al. disclose a distributed agent system (*see Figure 3*), where, for example, available information includes hotel, restaurant, and tourist-site data are retrieved by distributed software agents from commercial Internet sites (*see Figure 13; Column 25: 40-49*). This is clearly in the same field of endeavor as Tadokoro et al., which relates to electronic commerce over a communication network, such as the Internet (*see Paragraph [0002]*).

Conclusion

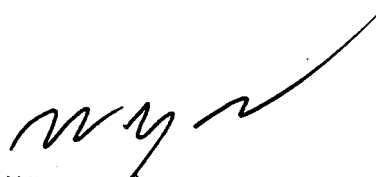
9. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Qing Chen whose telephone number is 571-270-1071. The Examiner can normally be reached on Monday through Thursday from 7:30 AM to 4:00 PM. The Examiner can also be reached on alternate Fridays.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Wei Zhen, can be reached on 571-272-3708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



WEI ZHEN
SUPERVISORY PATENT EXAMINER

QC / ac
April 26, 2007